

ORDINANCE NO. 132

AN ORDINANCE AMENDING WEST COCALICO ZONING ORDINANCE NO. 116 OF 2011, KNOWN AS CHAPTER 27 OF THE WEST COCALICO TOWNSHIP CODE OF ORDINANCES, FOR THE PURPOSE OF INCLUDING AGRI-VENUE BUSINESSES AS USES PERMITTED BY SPECIAL EXCEPTION IN THE A-1 and A-2 AGRICULTURAL, ES-ECOLOGICALLY SENSITIVE, AND OS-WOODLAND ZONING DISTRICTS OF WEST COCALICO TOWNSHIP

WHEREAS, there is increasing demand within West Cocalico Township for venues for weddings, social gatherings, and celebrations in a rural or agricultural setting; and

WHEREAS, family farms are often seeking supplemental sources of income so as to be able to remain in the farming industry rather than selling their farm land for residential development; and

WHEREAS, such "agri-venue" locations are appropriate for operation within the A-1 Agricultural, A-2 Agricultural, ES Ecologically Sensitive and the OS Woodland zoning districts of West Cocalico Township provided that such uses meet certain specific criteria designed to insure the safety of users, neighbors, the general public, and so as to maintain the general agricultural character in those districts; and

NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Supervisors of West Cocalico Township on this 17th day of May, 2016, certain amendments to the West Cocalico Township Zoning Ordinance of 2011, as consolidated in the Code of Ordinances, as follows:

Section 1. Chapter 27, §27-202 of the Code of Ordinances shall include the following definition in its proper alphabetical order; "Agri-venue -Within the A-1 and A-2 Agricultural, ES-Ecologically Sensitive, and OS-Woodland Districts, a place where celebrations, gatherings and similar events may, upon approval of a special exception, take place with or without meals, entertainment or food preparation for the purpose of receiving monetary compensation."

Section 2. Chapter 27, §27- 403 is amended to include, within its proper alphabetical order, the following additional use: "Agri-venue."

Section 3. Chapter 27, §27-503 is amended to include, within its proper alphabetical order, the following additional use: "Agri-venue."

Section 4. Chapter 27, §27-603 is amended to include, within its proper alphabetical order, the following additional use: "Agri-venue."

Section 5. Chapter 27, §27-703 is amended to include, within its proper alphabetical order, the following additional use: "Agri-venue."

Section 6. Chapter 27, §27- 2305 is amended to include the specific, within its proper alphabetical order, criteria for "Agri-Venue" uses which an applicant shall have the burden of proving in order to be granted a special exception:

"Agri-Venue -

1. Any Agri-Venue business operation must at all times remain secondary, subordinate, incidental and accessory to the active agricultural or farming principal use of the property.
2. No more than one (1) structure capable of human occupation involved or utilized in the Agri-Venue business operation may be utilized on the property at any one time.
3. An Agri-Venue business may only be operated on a parcel of land that would meet the definition of a "Farm" as provided in the Township Zoning Ordinance.
4. No new permanent structures shall be constructed for the agri-venue use other than small structures such as tents, arbors and gazebos.
5. Agri-Venue uses shall be owned or operated by the landowner or a member of the landowner's immediate family.
6. All activities, buildings, structures (except driveways and permitted signs), off-street parking and loading areas associated with the Agri-Venue use shall be set back at least

one hundred (100) feet from any adjoining property line, and at least three hundred (300) feet from any adjoining residence or residentially zoned property.

7. No Agri-Venue shall operate more than forty five (45) days per calendar year, but it may host more than one activity on any one of such days.

8. No on-street parking shall be permitted.

9. The property on which an Agri-Venue is conducted must have the amount of frontage upon a public road required by the Zoning Ordinance, and all vehicular access to the Agri-Venue must be to and from a public road.

10. No new access or driveway may be created (except for paving an existing driveway) for the use of the Agri-Venue. An existing driveway may be relocated in accordance with the requirements of section 2006 of the Township's Subdivision and Land Development Ordinance.

11. Every Agri-Venue shall provide sanitary facilities and running water, for the patrons of same, but not including those provided within any dwelling on the property. The applicant shall have the burden to prove that the water is potable and the sanitary facilities are connected to a sewage disposal system capable of processing all waste generated by the Agri-Venue use. If, however, the use is limited to five (5) or fewer events during a calendar year, then approved temporary sanitary facilities, and liquid refreshments transported to the event, may be utilized.

12. All signage shall comply with the requirements of Chapter 27, Part 17.

13. All off-street parking and loading shall comply with the requirements of Chapter 27, Part 18.

14. An applicant has the burden to establish that the proposed Agri-Venue use shall not have a detrimental impact on the citizens of West Cocalico Township due to traffic generated, numbers of attendees, hours of operation, noise, light, litter, dust and pollution.

15. A satisfactory trip generation and site access analysis, prepared in accordance with the West Cocalico Township Subdivision and Land Development Ordinance shall be provided at the time of the special exception hearing before the Zoning Hearing Board. The traffic analysis shall include: a. the total average daily trips (ADT); b. the available minimum safe stopping sight distances at the point of existing or proposed site access; and c. demonstration that the site access meets or exceeds applicable safe stopping sight distance requirements.

16. All buildings within which the Agri-Venue business is conducted shall be in compliance with the most recent version of the International Building Code as referenced in the Pennsylvania Uniform Construction Code in effect at the time the application is presented."

Section 7. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of that court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board of Supervisors of West Cocalico Township that this Ordinance would have been enacted even if such illegal, invalid, or unconstitutional section, sentence, clause, part or provision had not been included herein.

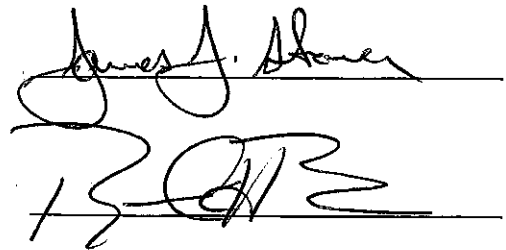
Section 8. All other sections, parts, and provisions of Ordinance 116, known as the West Cocalico Township Zoning Ordinance (as consolidated in the Code of Ordinances) as heretofore enacted and amended, shall remain in full force and effect save for provisions explicitly replaced, repealed, or amended by this Ordinance.

Section 9. This Ordinance shall become effective five (5) days after enactment.

DULY ORDAINED AND ENACTED the date first above written by the Board of Supervisors of West Cocalico Township of Lancaster County, Pennsylvania, in lawful session duly convened.

WEST COCALICO TOWNSHIP

BOARD OF SUPERVISORS



Two handwritten signatures are present, each written over a horizontal line. The top signature is in cursive and appears to read 'James J. Shover'. The bottom signature is also in cursive and is more stylized, possibly reading 'J. J. Shover' or similar.

Leon 3. Eby